



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RICHARD BREUNINGER, et al,

Plaintiffs,

- against -

T. EDWARD WILLIAMS, et al,

Defendants.
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20-CV-7033 (JPC) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Defendant's motion to compel (Dkt. 162) and for sanctions and contempt (see Dkts. 165-167) are DENIED. The "meet and confer" facts described by Defendant do not qualify as good faith meeting and conferring. An email that makes a demand is not meeting and conferring. Making a phone call to which there is no answer is not meeting and conferring. Further, it appears that the issues raised either have been resolved or continue to be the subject of meeting and conferring. (See Dkt. 172.) If and when any remaining issues are ripe for the Court's consideration, they may be brought to the Court's attention. Parties who do not comply with the good faith meet and confer requirement may face sanctions for failing to do so.

The Clerk of Court is directed to terminate the motion at Dkt. 162 and proposed order to show cause at Dkt. 165.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: September 29, 2023
New York, New York

Copies transmitted this date to all counsel of record.